IN THE

Supreme Court of the United States

OCTOBER TERM, 1973

No. 73-919

MARIAN VIRGINIA BUXTON,

Petitioner,

v.

ROBERT A. FUGAZI, ATTORNEY,

Respondent.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

MARIAN VIRGINIA BUXTON
Watergate Apartments, No. 428
No. 6 Captain Drive
Emeryville, California 94608
(415) 654-5185
In Propria Persona

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IN THE

Supreme Court of the United States

OCTOBER TERM, 1973

No.

MARIAN VIRGINIA BUXTON,

Petitioner,

v.

ROBERT A. FUGAZI, ATTORNEY,

Respondent.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

PETITIONER'S PRAYER

Petitioner, Marian Virginia Buxton, prays that a Writ of Certiorari issue to review the Judgment of the United States Court of Appeals for the Ninth Circuit entered on October 1, 1973, in the above-entitled cause.

CITATION TO THE OPINION BELOW

The opinion of the United States Court of Appeals for the Ninth Circuit is printed in the Appendix attached hereto, *infra*, page 1a.

CONSTITUTIONAL PROVISION INVOLVED

Fifth Amendment to the United States Constitution provides in pertinent part:

> "No person shall . . . be deprived of life, liberty or property, without due process of law; . . ."

STATEMENT OF THE CASE

(1) The petitioner has presented the problem of the various torts, and the inability of the petitioner to seek and obtain redress in the open Courtroom of the United States Courts, to the Federal Bureau of Investigation, to the President of the United States, and to the attornies and counsels of the United States Supreme Court, the United States Attorney, and the Governor of California. Recourse to these agencies, then satisfies the requirement of citations No. 1, 2, 7, 15, 24, 25 and 26 of the Schedule of Cases, Statutes, and Points of Authority, *infra*, p. 10.

(2) Since it is possible to the respondent to round up, with the assistance of the police services available to the respondent, a Judge of the District Court, all of the properties which have not been transferred, signed over, sold or rented, the monies, personal property, which now amount to more than $300,000, because nothing has been legally transferred, sold, or signed except one small piece of separate

property of the petitioner, the petitioner prays an order of the Honorable Court of the United States Supreme Court for a Writ of Certiorari to return the properties, pay the income, pension, damages and expenses.

(3) Most emphatically, petitioner remains a resident of Hawaii, albeit remaining in California awaiting the delivery and occupancy of her apartment. Since petitioner has received an audit of the Federal Government, and an investigation frequently, together with thirty years of classified life, which is known to the Congress of the United States, and to the Justices of the Supreme Court, she complains of being passed around to lovable, trusting and naive, proud and elderly individuals like the husband of petitioner, only to see them thoroughly and brutally shaken down in front of her eyes. This repetition of straw slavery amounts to rollo to the tune of $186,000 tax loss in one year, then a $40,000 tax loss the following year.

REASONS FOR GRANTING THE WRIT

(1) The most important legal issue is the conspiracy to defraud which has been practiced by the respondent, Robert Fugazi, who has brought into the jurisdiction of the Superior Court of California the separate property of the petitioner, a classified School Psychologist, a professional classified for a top-security Navy position, classified as a Federal Corrections Police Officer in the Bureau of Dangerous Drugs and Hard Narcotics, and holder of a variety of other certifications and credentials. These matters have continued unabated during twenty-five years in this same State of California each time the petitioner attempts to quietly vacation, to tour, to study, to research, or to purchase commodities from the business people, especially while she is appointed and insisted upon by the State as

the parent, guardian, and head of the family of a bright, healthy, beautiful minor child for many years. Without relief, they have grabbed property, threatened the civil rights and security, annoyed, harried, invaded the privacy of, and passed around more than five hundred thousand dollars worth of private property, monies, and assets of law-abiding, educated, taxpayers. The respondent, an Attorney, has managed to remove from the use of the petitioner, without any signature, another $75,000 worth of separate property of the petitioner, and a very much larger sum of community property of the aged, decrepit, and frightened elderly priest of the Episcopal Church, and retired Naval Officer while the person described, also a longtime employee of International Business Machines, merely attempted to vacation in a pre-fabricated log cabin together with his wife, the petitioner. The Episcopal Church Directory describes the address of the couple since 1965 as Honolulu, Hawaii, which is exactly the truth, as repeatedly attested to by both parties. Please see citations No. 1, 2, 6, 8, 9, 10, 11, 12, 13, 14, 16, 17, 20, and 21, 22, 23 and 24, in the Index of Authorities, Cases, and Statutes. This attorney, Robert Fugazi, the respondent, has used this action to extort money from the petitioner, in effect, and has been a party in full knowledge, to forged stock certificates, forged deeds, and forged checks and travelers' checks amongst the properties of the petitioner, knowing full well that no transfer of property, payments, sales, or gifts have gone through the Superior Court of California, or any other Court of the Land, and the whole Intended Distribution of Property and Payments Ordered as Separate Maintenance are in contempt of Court, and the aged spouse of petitioner is horribly dead.

(2) The second most important legal issue is the conspiracy to libel and to slander, and to brow-beat an elderly

couple in which the husband is seventy years of age, and the petitioner, past fifty. It is quite impossible to explain why the respondent should tacitly encourage some attempt to institutionalize a scholar researching at the University, quietly golfing, entertaining friends, gardening in a summer cabin to the point of involving two volunteer lawyers of the University Counseling Service, especially in the mathematics and engineering departments. Fortunately, the number of scholarly, social, professional, and civic clubs and societies to which the petitioner belongs and to which she travels, elicit the evidence of not a single witness who can attest to wild, strange, violent, or scandalous or destructive behavior, nor indeed, can even a single police officer of the State of California be induced to describe nor does he remember an incident of misbehavior on the part of the petitioner; in fact, not a single police officer elsewhere in the entire world attests to misbehavior, odd behavior, wild behavior, or critical behavior.

(3) The third legal issue is the constant stream of torts which have ensued in the State of California and in the Courts of the United States with regard to this property and income, and other properties and income, of the petitioner which will be described in detail with exhibits in the brief to follow this complaint and Petition for a Writ of Certiorari. Please see citations No. 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 20, 21, 24 and 25 in the Schedule of Cases, Statutes, and Points of Authorities, *infra*, p. 10. No open Court hearing has taken place despite the repeated pleas for a change of venue and other relief, and motion after motion continues the conspiracy to defraud and to commit torts. Unfortunately, the respondent has not made a single effort to carry out the legal commissions for which his services were retained, and the substantial fees have resulted in nothing more than the horrible

death of the husband of petitioner and the loss of hundreds of thousands of dollars worth of property and labor, and in time and effort expended. The Court orders obtained remain in contempt of Court.

SUMMARY OF THE ARGUMENT

(1) Since every imaginable manipulation of the life savings of the petitioner and her distinguished, elderly and frightened husband has occurred in the States of Hawaii, and in the Courts of the State of California as the result of the retainer paid for the services of the Attorney, Robert Fugazi, the respondent, to the point of driving the spouse of the petitioner to his death, and only the police, some physician friends, and the assignment to the Terminal Island Prison of the petitioner, for possible employment on the prison systems, have saved any portion whatever, the Honorable Supreme Court Justices are petitioned for a Writ of Certiorari for relief from enslavement, conspiracy to defraud, state and federal torts, and outright theft of her separate property, her husband's property, and their community property.

(2) It is the prayer of the petitioner to the Honorable Justices of the Supreme Court that the respondent be ordered to gather up the property which has been arbitrarily passed around, occupied, stolen, and by fraud, donated to different persons who have been identified by the Internal Revenue Service, the State of Hawaii, the State of California police, and by the Federal Bureau of Investigation, and to order the delivery of the death certificate, the possibility of the preparation of a funeral, and the payments of pension and bank accounts of the couple, Mr. and Mrs. James Morgan Buxton.

(3) Since the arguments of the respondent to this petition seem to devolve around the fact that he had not had in his hands or his possession the stock certificates, the title deeds, auto titles, and bank book power of attorney so that he might procure payment of the court-ordered properties and payments, this is no argument at all since he has the power of a Judge of the State of California and the services and investigations of the excellent police of California to assist him.

(4) Since the argument of the respondent is that he has seen the petitioner on only one or two occasions in which he was directed and attempting to deliver and to make available to the petitioner some money and property for her support in the absence of the husband of the petitioner, there seems the strange but obvious supposition that he might be ordered to make more effort to interview the petitioner and to endeavor to assist her and to list, account for and recover the properties and monies.

(5) Some investigation has elicited the information that the respondent is neither handicapped, financially unable, nor without the power to recover these properties and monies.

(6) Finally, exhaustive efforts have been made through the courts and by polite request of the respondent and the California Superior Court in Auburn, California, and of the United States District Court in San Francisco to follow the Court orders effected by Judge Fugazi, and then to order the return of the remaining forged stock certificates and properties of the community property, and the separate property listed in the Will of the husband of petitioner. These petitions refer only to the private properties which were arbitrarily removed by forgery from the possession and disposal and use of the petitioner. Furthermore, the

petitioner finds that, as a result of chasing the exhausted and frightened, aged, distinguished husband of petitioner out of their summer cabin, the husband is horribly dead. It seems only fair and legal to order the death certificate, a decent funeral, and the payment of the pension known by the respondent, paid to petitioner forthwith along with the occupancy of her home in Hawaii.

(7) The orders to divide the community property were effected by Judge Fugazi in the absence of the husband of the petitioner, but never went through because both signatures were not available. It is possible the husband of petitioner is a prisoner somewhere in Southeast Asia. He has not been known in Florida at all, by the church, relatives or police.

CONCLUSION

(1) Since the jurisdiction of the United States Supreme Court has been amply demonstrated by repeated requests for a rehearing of a case which has never been heard in an open court in the U.S. District Court nor an open court in the United States Appeals Court of San Francisco, there remains nothing left but to demonstrate the exhaustive efforts of the petitioner to achieve justice by presentation of complaints, motion after motion, briefs, and exhibits to the United States District Court and to the United States Circuit Court of Appeals.

(2) Attached hereto are the various motions and orders of the United States District Court and the United States Circuit Court of Appeals in San Francisco from which no repeated demands for change of venue, open court hearings, three-judge panels, and even for execution of the already ordered payments and properties as ordered by the

Superior Court of the State of California, have procured any justice.

(3) The petitioner was residing in Nevada at the time of filing in the United States District Court, then moved to Washington, District of Columbia, and has filed in the United States Courts due to diversity of residence. She has returned to reside in Hawaii, but has had again to seek legal and police assistance to obtain occupancy of her home in Hawaii, and is awaiting the Court's action in California, which remains habitable for petitioner with the special assistance of the Governor of California, the State Police, and the security guard of an apartment house. The citizens' obsession with the sad demise of the husband of petitioner and the cruel and very unfunny events of this public exploitation of a priest and naval officer, and company executive of dignified mien are curbed only by the appointment of an *Amicus Curiae* to discover fact and befriend the petitioner in Washington, D. C., and by the firm protection of the Navy. Petitioner seeks a Writ of Certiorari.

Respectfully submitted,

MARIAN VIRGINIA BUXTON

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In Propria Persona

APPENDIX

SCHEDULE OF CASES, STATUTES, AND POINTS OF AUTHORITY

1. Administrative Law Nos. 710, 711, Am. Jur. 2d Statutory Methods of Obtaining Review of Actions of Administrative agencies.

2. Amendments to Rules of Civil Procedure for the U.S. District Courts; Supplemental Briefs of the U.S. Courts, p. 1037, Vol. 398, *U.S. Reports*, October Term, 1969, May 18 to June 19, 1970.

3. Civil Rights Act of 1964, No. 2000(b)(3), prohibiting discrimination in places of exhibition or entertainment, page 439, No. 201(b)(3) and related provisions (42 U.S.C.), p. 439.

4. Civil Rights Act No. 16; 15 Am. Jur. 2d.

5. Constitutional Amendments: The Thirteenth Amendment of the Constitution of the U.S.A., No. 2, 42 U.S.C. 1985(3).

6. Constitutional Law No. 1: 16 Am. Jur. 2d, Constitutional Law Nos. 1, 2, p. 151,

> "A Constitution is . . . the supreme law . . . It's principles and rules rest on the fundamental concept of a supreme law expressed in written form in accordance with which all private rights must be determined and all public authority administered. . . ." 16 Am. Jur. 2d, Constitutional Law Nos. 1, 2, p. 151.

7. *Criminal Liability*, under 16, pp. 241, 242, for depriving or conspiring to deprive a person of his civil rights, 20 L.Ed. 2d, 1454.

8. Derivative Actions by Shareholder, Rule 23.1 (Investment Securities), p. 404, *U.S. Supreme Court Digest.*

9. Digest of Conspiracy, No. 17, U.S. L.Ed., Constitutional Law No. 101, *Involuntary Servitude and Peonage*, No. 1.

10. Digests of Civil Rights, No. 1.3 Ed., Index to Anno. Civil Rights, Conspiracy, Discrimination.

11. Forgery, Fraud, and Misrepresentation as Grounds for Cancellation of Deeds, pp. 139, 142, 145; 23 Am. Jur. 2d, *Deeds*.

> "A deed executed under such circumstances is ineffective to pass title even to an innocent purchaser."

12. Fraud and Deceit, Anderson's *Uniform Commercial Code*, Text, Cases, Commentary No. 4, 2d Ed., pp. 13-14; Code Sections 9-101, 10-104, Forged or Unauthorized Signatures, official Code comment No. 9, 102:1, Article 9.

13. Frauds, Statute of Frauds. Statute No. 8-319.1, p. 670. Investment Securities Nos. 8-104.1 to 8-104.2, p. 673; No. 8-105.1, p. 698; No. 8-204.1, pp. 670-675. Sections dealing with forged signatures.

14. Fraudulent Conveyances, p. 371, *U.S. Supreme Court Digest*, Lawyers Edition No. 17, Court Rules, Constitution, The Lawyers Cooperative Publishing Company, etc., Rule 18(b), Joinder of Remedies.

> "Whenever a claim is one heretofore cognizable only after another claim has been prosecuted to a conclusion, a plaintiff may state as claim for money and a claim to have set aside a conveyance fraudulent to his (as to

him) without first having obtained a judgment establishing the claim for money."

15. *Griffin, Eugene, et al., Petitioners v. Breckinridge, Lavon, et al.*, 403 U.S. 88, 29 L.Ed. 339-351, Civil Rights Decision of U.S. Supreme Court in 1971. 91 S. Ct. 1790, No. 144, Argued 13 and 14, 1971, Decided June 7, 1971. Summary: The action was based on 42 U.S.C. 1985(3), which authorizes the recovery of damages where two or more persons conspire or go in disguise on the highway or on the premises of another for the purposes of depriving any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the laws.

16. Investment Securities, Adverse Claims, No. 8-304, *Notice to Purchaser*, p. 739, U.C.C. Effect of delivery without endorsement. Right to compel endorsement, p. 749, No. 8-308. Effect of endorsement without delivery.

> "An endorsement of a security whether special or in blank does not constitute a transfer until delivery of the security on which it appears or if the endorsement is on a separate document until delivery of both document and the security."

17. Investment Securities, Issue and Issuer, Anderson's *Uniform Commercial Code*, No. 3, p. 683, U.C.C. 8-201; Issuer, U.C.C. 8-202, pp. 683-690; U.C.C. Part No. 3 – Purchase – Rights acquired by purchaser, Adverse Claim, Title acquired by *bona fide* purchaser, pp. 726-727, U.C.C.

18. Liability in Damages under No. 8, U.S.C. No. 47, for conspiracy to deprive a person of his civil rights. 95 L.Ed. 1253.

19. Libel and Defamation, pp. 296-337, *U.S. Supreme Court Reports*, Lawyers Edition No. 29 L.Ed. 2d, U.S. 403 Law U.S. 5, 2d set (403) U.S. *George A. Rosebloom, Petitioner v. Metromedia, Inc.*, 403 U.S. 29, 29 L.Ed. 2d 296, 91 S. Ct. 1181, No. 66, Argued Dec. 7 and 8, 1970, Decided June 7, 1971. The District Court in the libel action, held that the Constitutional standard required by the First Amendment whereby recovery of damages for certain defamatory falsehoods was prohibited unless it was proved that it was uttered with a knowledge that it was false or not, was inapplicable unless the plaintiff was not a "public official" or a public figure and instructed in accordance with Pennsylvania libel laws.

20. Pleadings and Motions 9:11; Notice of Hearing and Motion Day. Rule 7(b) and Rule (11) provides for Motion and other papers. Moore's *Manual of Federal Practice and Procedure*. Moore-Vestal KF8820 A313, N64(1), on application to the Court for an order shall be by motion which unless made during a hearing or trial . . . in writing . . . shall set forth the relief or order. . . a motion is not a pleading. . . a motion . . . signed with intent to defeat the purpose of Rule (11) may be stricken as sham and false."

21. Rules of the Supreme Court: "If a pleading is not signed or is signed with intent to defeat the purpose of this rule (Rule 11) it may be stricken as sham and false."

22. Securities, Scope and Suggestions Related to Lost, Stolen, Destroyed Securities. U.C.C. No. 8-405, p. 821, Lost, Stolen, Destroyed Securities, specifying when the owner is harried from asserting his claim thereon as owner, when the issuer must issue a replacement security and what consequences flow from the presentation . . . of the original

certificates by a third person. Shareholders Actions, pp. 991-1005.

23. Shareholders Actions, pp. 991-1005, Moore-Vestal, p. 540(7), *Special Damages*. Moore and Vestal in *Federal Practice* KF8840, M64. By Moore, James William, and Vestal, Allen D.; Vestal D., Bender M., Albany, 1962.

24. *Tort*, Federal Tort Claims Act, pp. 762-767. Construction and Application of 28 U.S.C.S. No. 2675(a), as amended in 1966, and implementing regulations requiring presentation of claim to and denial of claim by a Federal Agency before the Court Action can be instituted against the United States. Federal Tort Claims, Cooperative Lawyers Publishing Co., Rochester, 1972.

25. Constitutional Law: The requirement of a three-judge panel at the level of the United States District Court.

26. Constitutional Law: Constitution of the United States of America Annotated, Senate Document No. 39, 88th Cong. Law U.S., p. 1000 – Right to a Speedy and Public Trial, Amendment 6 of the Constitution.

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

VIRGINIA BUXTON, *Appellant,*	:	No. 73-1133 ("Docketed")
v.	:	ORDER
ROBERT A. FUGAZI, Attorney at Law, *Appellee.*	:	FILED October 1, 1973 CLERK U.S. COURT OF APPEALS

Before: BROWNING, ELY, and WALLACE, Circuit Judges.

The District Court's Order of dismissal is

AFFIRMED.

United States Circuit Judges

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

* * * * *

[Filed November 7, 1973]

* * * * *

No. 73-1133
("Docketed")

* * * * *

ORDER

* * * * *

Before: BROWNING, ELY, and WALLACE, Circuit Judges.

The Petition for Rehearing is denied.

United States Circuit Judges

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

[Filed November 23, 1973]

No. 73-1133
("Docketed")

ORDER

Before: BROWNING, ELY, and WALLACE, Circuit Judges.

The Clerk is directed to file the appellant's motion to vacate this court's Order of November 7, 1973, and her motion for reconsideration of this court's denial of her Petition for Rehearing, both motions, in one document, having been received in the Clerk's office on November 12, 1973.

Both of said motions are denied.

Any additional motions forwarded by the appellant to this court in connection with the subject appeal will neither be filed nor considered.

/s/ Walter Ely
United States Circuit Judges

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

VIRGINIA BUXTON,
Plaintiff-Appellant,

v. C-72-1740-RHS

ROBERT A. FUGAZI,
Attorney at Law,
Defendant-Appellee.

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UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

VIRGINIA BUXTON,
Plaintiff-Appellant,

v.

ROBERT A. FUGAZI,
Defendant-Appellee.

No. 73-1133
(D.C. No. C-72-1740-RHS)

APPEAL from the United States District Court for the Northern District of California.

THIS CAUSE came on to be heard on the Transcript of the Record from the United States District Court for the Northern District of California and was duly submitted.

ON CONSIDERATION WHEREOF, It is now here ordered and adjudged by this Court, that the judgment of the said District Court in this Cause be, and hereby is affirmed.

A TRUE COPY
ATTEST November 14, 1973

EMIL E. MELFI, JR.,
CHIEF DEPUTY AND ACTING CLERK
by /s/ Ray Hewitt
Ray Hewitt, Deputy

Filed and entered October 1, 1973.

ROBERT A. FUGAZI
P.O. Drawer Z
Tahoe City, California 95730
Telephone: 583-5536
In Pro Per

FILED
November 17, 1972
CHARLES J. ULFERS, CLERK

**UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA
–SAN FRANCISCO**

VIRGINIA BUXTON, *Plaintiff,*	:	**Civil Action No. C-72-1740-RHS**
v.	:	
ROBERT A. FUGAZI, *Defendant.*	:	**ORDER GRANTING MOTION TO DISMISS**

Defendant's motion for an Order to Dismiss having come on for hearing this day, and the Court being fully advised,

IT IS ORDERED that this action be dismissed.

Dated: November 17, 1972

/s/ Illegible
United States District Judge

ROBERT A. FUGAZI
P.O. Drawer Z
Tahoe City, California 95730
Telephone: 583-5536
Attorney for Petitioner

FILED
October 7, 1971
MAURINE I. DOBBAS
County Clerk of Placer County
By /s/ Illegible
Deputy

SUPERIOR COURT OF CALIFORNIA,
COUNTY OF PLACER

JAMES M. BUXTON,	:	
Petitioner,	:	**No. 32790**
	:	
and	:	**WITHDRAWAL AND DISCHARGE OF ATTORNEY**
VIRGINIA D. BUXTON,	:	
Respondent.	:	

TO PETITIONER AND RESPONDENT ABOVE NAMED AND TO THE CLERK OF THE ABOVE-ENTITLED COURT:

PLEASE TAKE NOTICE that the undersigned hereby withdraws effective October 5, 1971, as attorney of record for the petitioner above named.

A Decree of Separate Maintenance in above entitled proceeding was entered on April 3, 1969.

The last known address of the petitioner in said action is 332 E. Montana Avenue, New Port Richey, Florida 33552.

Dated: October 5, 1971

/s/ Robert A. Fugazi
Attorney for Petitioner

RING, TURNER & RING
1437 North Broadway
Walnut Creek, California 94597
Telephone: 935-0550

Attorneys for Defendant and Cross-Complainant VIRGINIA D. BUXTON

FILED
April 3, 1969

MAURINE I. DOBBAS
County Clerk of Placer County

By /s/ Sandra Nagel
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA IN AND FOR THE COUNTY OF PLACER

JAMES M. BUXTON,	:	
Plaintiff and Cross-Defendant,	:	**No. 32790**
v.	:	
VIRGINIA D. BUXTON,	:	**DECREE**
Defendant and Cross-Complainant.	:	**OF SEPARATE MAINTENANCE**

This cause came on regularly to be heard on this day, AUGUST J. GINOCCHIO appearing as attorney for defendant and cross-complainant, and ROBERT A. FUGAZI, appearing for plaintiff and cross-defendant; plaintiff JAMES M. BUXTON withdrew his complaint for divorce and the matter proceeded on defendant VIRGINIA D. BUXTON's Cross-Complaint for Separate Maintenance, and evidence having been introduced on behalf of cross-complainant at said hearing of this cause, and said cause having been submitted to the court for its consideration and decision, and the court finding that all of the allegations contained in the cross-complaint are true and that a decree of separate

maintenance should be granted as prayed for in said cross-complaint on the ground of cross-defendant's extreme cruelty.

IT IS ADJUDGED AND DECREED as follows:

(1) Wife is entitled to a decree of separate maintenance from. . . .

Date Entered: April 3, 1969

Book 13, Page 156.

A. J. GINOCCHIO
RING, TURNER & RING
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Telephone: (415) 935-0550
Attorneys for Respondent

FILED
May 13, 1970

MAURINE I. DOBBAS
County Clerk of Placer County

By /s/ Pearl Buschk
Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF PLACER

In re the marriage of
Petitioner: JAMES M. BUXTON : **No. 32790**
and : **ORDER RE MODIFICATION OF FINAL DECREE OF LEGAL SEPARATION**
Respondent: VIRGINIA D. BUXTON:

The Order to Show Cause re modification of the Final Decree of Legal Separation came on regularly to be heard before the above-entitled Court on the 17th day of April,

1970, before the Honorable Leland Propp, respondent appearing personally and by her attorney A. J. GINOCCHIO and petitioner appearing by his attorney ROBERT FUGAZI.

Upon proof of legal notice of the hearing and service of the same having been submitted, and upon hearing and receiving oral and documentary evidence in the matter,

NOW, THEREFORE, IT IS HEREBY ORDERED:

(1) The decree of legal separation herein shall be and is hereby modified as follows: Petitioner shall pay to respondent for her legal support the sum of $225.00 per month to commence forthwith and to continue for the balance of the term set forth in said decree of legal separation.

(2) That petitioner shall pay to respondent's attorney, A. J. GINOCCHIO, the sum of $150.00 attorney's fees, and $5.00 costs incurred in this action, payable forthwith.

DONE IN OPEN COURT this 17th day of April, 1970; presented and signed this 12th day of May, 1970.

By /s/ Leland Propp
Judge of the Superior Court

971 3 * * * '72 1740 * * * 4 44 * * * 7110
Dist/Office Yr. Number J N/S JUDGE No.

PLAINTIFFS		DEFENDANTS
BUXTON, VIRGINIA	(U.S.)	FUGAZI, ROBERT A.
In Pro Per Nevada Lodge Crystal Bay, Nevada 89402	(Attorneys)	*In Pro Per* P.O. Drawer Z Tahoe City, CA 95730
Civil Rights: Conspiracy to defame, injure, defraud (Cause) & deprive of property rights (Diversity)		

DOCKET ENTRIES

1972

Sept. 25	1.	Filed Complaint; issued summs
Oct. 16	2.	Filed not. of related case in Dist. of N.Y.
	3.	Filed pltf's Certificate of Readiness
	4.	Filed summs on ret: exec.
Oct. 25	5.	Filed deft's not. & mo. to dism., 11-15-72/ 9:30 (or for change of venue)
Oct. 31	6.	Filed deft's 1st amended not. of mo. to dism., 11-17-72/9:30;
Nov. 17		ORD: deft's mo. to dism.–GRANTED
Nov. 17	7.	Filed ORD. Granting deft's mo. to DISMISS
Nov. 17	8.	Filed pltf's Notice of Appeal
Nov. 17		Mailed not. to counsel & 9th CCA of filing appeal
Nov. 17	9.	Filed pltf's Designation of record on appeal
Nov. 21	10.	Filed deft's not. of ord. granting mo. to dism.
Nov. 27	11.	Filed deft's Designation of record on appeal
Dec. 6	12.	Filed Letter dated Dec. 2, 1972 from Mrs. James M. Buxton.

DOCKET ENTRIES

1973

Jan. 5 Made, Mailed, Record on Appeal, to 9th CCA.

* * * * *

FILED
July 3, 1968

MAURINE I. DOBBAS
County Clerk of Placer County

By /s/ Mary Ann (Illegible)
Deputy

IN THE SUPERIOR COURT OF
THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER

THE PEOPLE for the best interest and protection of VIRGINIA D. BUXTON as a mentally	:	No. 1903

JUDGMENT AND ORDER FOR RELEASE

The jury in this case having returned a verdict that VIRGINIA D. BUXTON is not a mentally ill person

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that VIRGINIA D. BUXTON is not a mentally ill person and it is

FURTHER ORDERED, ADJUDGED AND DECREED that VIRGINIA D. BUXTON be released from DeWitt State Hospital at Auburn, California forthwith.

Dated: July 3, 1968

/s/ Wayne Myles
Judge of the Superior Court
Pro Tem